**U.S. Department of Justice**

*United States Attorney
Southern District of New York*

*86 Chambers Street
New York, New York 10007*

February 23, 2024

By ECF

The Honorable Dale E. Ho
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Helen Greene Johnson v. United States of America*, 24 Civ. 872 (DEH)

Dear Judge Ho:

This Office represents the United States of America (“Government”), defendant in this action brought pursuant to the Federal Tort Claims Act, 28 U.S.C. §§ 1346(b), 2671 *et seq.* We write respectfully to request an adjournment of the initial pretrial conference, currently scheduled for March 5, 2024, to April 24, 2024. We further request that the deadline for the parties to file their proposed Civil Case Management Plan be adjourned from February 27 to April 17, 2024.

The reasons for this request are two-fold. First, the deadline for the Government to respond to the complaint is April 8, and it would be in the interest of judicial economy to schedule the initial pretrial conference until after that date, particularly because the Government is evaluating whether it has grounds to file a motion to dismiss the complaint. Second, it is the Government’s understanding that plaintiff’s counsel intends to file a related case statement with respect to *Aziz v. United States*, 24 Civ. 874 (JMF), a case with substantially similar allegations and claims currently pending before Judge Furman. If the Court were to accept *Aziz* as related, it would be most efficient to have a single conference that addresses both actions. It would therefore promote judicial economy and efficiency to adjourn the initial pretrial conference in *Johnson* until after plaintiff has filed the related case statement and the Court has decided whether to accept the later-filed case. The Government notes that Judge Furman scheduled an initial pretrial conference in the *Aziz* matter for April 24, the date to which the Government presently seeks to adjourn the initial pretrial conference in this matter.

This is the first request for an adjournment of these deadlines. If the Court were to grant this request, it would not affect any other deadlines in this matter. Plaintiff consents to this request.


We thank the Court for its consideration of this request.

Application GRANTED.

The initial pretrial conference scheduled for March 5, 2024 is ADJOURNED to **April 24, 2024**, at **11:30 a.m. EST**. The conference will be held in Courtroom 905 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, NY 10007. The joint letter and proposed Civil Case Management Plan and Scheduling Order is due **April 16, 2024**. See ECF No. 14.

The Clerk of Court is respectfully requested to close ECF No. 19.

SO ORDERED.



Dale E. Ho
United States District Judge
Dated: February 26, 2024
New York, New York

Respectfully,

DAMIAN WILLIAMS
United States Attorney
Southern District of New York

By: /s/ Ilan Stein
ILAN STEIN
DANIELLE J. MARRYSHOW
JEFFREY OESTERICH
Assistant United States Attorneys for the
Southern District of New York
Tel.: (212) 637-2525/-2689/-2695
Email: ilan.stein@usdoj.gov
danielle.marryshow@usdoj.gov
jeffrey.oestericher@usdoj.gov
cc: Plaintiff's counsel (via ECF)